

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** Chairwoman Elsie Arntzen, on February 12, 2009 at 3:00 P.M., in Room 172 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Elsie Arntzen, Chairwoman (R)  
Rep. Gary MacLaren, Vice Chairman (R)  
Rep. Robyn Driscoll (D)  
Rep. Bob Ebinger (D)  
Rep. Robin Hamilton (D)  
Rep. Pat Ingraham (R)  
Rep. Michael More (R)  
Rep. Scott Reichner (R)  
Rep. Michele Reinhart (D)  
Rep. Diane Sands (D)  
Rep. Wayne Stahl (R)  
Rep. Gordon Vance (R)

**Members Excused:** Rep. Betsy Hands, Vice Chairwoman (D)  
Rep. Arlene Becker (D)  
Rep. Gerald Bennett (R)  
Rep. Tom Berry (R)  
Rep. Wanda Grinde (D)  
Rep. Mike Menahan (D)

**Members Absent:** None.

**Staff Present:** Katie Butcher, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing: HB 405, HB 404, HB 439, HB 410,  
HB 505  
Executive Action: HB 439, HB 406

00:00:00 Call to order

**HEARING ON HB 439**

**Opening Statement by Sponsor:**

00:02:08 Rep. Diane Sands (D), HD 95, opened the hearing on HB 439, Process for citizen complaints to police commissions.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:03:05 Rep. Sands  
(Rep. Becker and Rep. Grinde arrived.)

**EXECUTIVE ACTION ON HB 439**

00:03:11 **Motion/Vote:** Rep. Sands moved that **HB 439 BE TABLED**.  
Motion carried 12-0 by voice vote.

**HEARING ON HB 404**

**Opening Statement by Sponsor:**

00:03:38 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 404, Uniform standards for certificates of survey and final subdivision plats.

**Proponents' Testimony:**

00:04:40 Sen. Daniel McGee, SD 29, Laurel, Montana  
00:05:14 Myra Shults, Montana Association of Counties  
00:05:44 Joe Roberts, Montana Association of Registered  
Land Surveyors (MARLS)  
00:06:10 Tim Davis, Montana Smart Growth Coalition  
00:06:28 Rick Hill, Montana Building Industry Association  
00:06:38 Glenn Oppel, Montana Realtors

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:07:01 Rep. Reinhart

**HEARING ON HB 405**

**Opening Statement by Sponsor:**

00:07:39 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 405, Criteria for local subdivision review.

(Chairwoman Arntzen asked Rep. Vance to serve as temporary chairman.)

**Proponents' Testimony:**

00:12:02 Tim Davis, Montana Smart Growth Coalition  
00:14:35 Jeff Sealey, Deputy County Attorney, Lewis and Clark County  
00:17:17 Myra Shults, Montana Association of Counties  
00:18:20 James Rokosch, Commissioner, Ravalli County  
00:21:41 Daniel Watson, Commissioner, Rosebud County  
00:23:55 Patricia Bik, Clark Fork Coalition

**Opponents' Testimony:**

00:25:14 Glenn Oppel, Montana Association of Realtors  
[\*\*EXHIBIT \(loh33a01\)\*\*](#)  
00:29:46 Rick Hill, Montana Building Industry Association  
00:32:25 Chip Pigman, Ravalli County  
00:33:12 Richard Smith, Gallatin County

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:35:08 Rep. Sands  
00:35:42 Rep. Reinhart  
00:40:44 Rep. Stahl  
00:41:05 Mr. Sealey

**Closing by Sponsor:**

00:42:28 Rep. Reinhart

**HEARING ON HB 410**

**Opening Statement by Sponsor:**

00:43:43 Rep. JP Pomnichowski (D), HD 63, opened the hearing on HB 410, Revise calculation of cash in lieu of park dedication for subdivisions.

**Proponents' Testimony:**

00:49:40 Ron Dingman, Parks and Recreation, City of Bozeman  
[EXHIBIT](#)(loh33a02)

00:54:25 James Rokosch, Ravalli County Commissioner

00:56:07 Susie Browning, Granite County Commissioner

**Opponents' Testimony:**

00:56:36 Rick Hill, Montana Building Industry Association

01:00:26 Glenn Oppel, Montana Realtors

01:00:45 John Harding, Great Falls Home Builders Association

01:02:33 Chip Pigman, Ravalli County

01:03:20 Richard Smith, Gallatin County

01:05:10 Kimberly Chambers, Developer, Missoula, Montana

01:07:45 Jack Walsh, Helena Building Industry Association

01:08:51 Joe Roberts, Montana Association of Registered Land Surveyors (MARLS)

01:11:37 Bob Olson, Realtor, Missoula, Montana

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:13:02 Rep. Stahl

01:13:46 Mr. Dingman

**Closing by Sponsor:**

01:14:50 Rep. Pomnichowski

01:20:22 Break

01:29:50 Reconvene

**HEARING ON HB 505**

**Opening Statement by Sponsor:**

01:30:22 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 505, Revise lake shore laws.

**Proponents' Testimony:**

01:34:30 Todd Klietz, Shore Line Administrator, Missoula County

**Opponents' Testimony:**

01:38:37 Dustin Stewart, Montana Building Industry Association

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:42:53 Rep. Reinhart

**EXECUTIVE ACTION ON HB 361**

01:45:10 **Motion:** Rep. Stahl moved that **HB 361 BE TABLED.**

**Discussion:**

01:45:31 Rep. Ebinger

01:45:35 Rep. Stahl

01:46:44 Chairwoman Arntzen

**EXECUTIVE ACTION ON HB 406**

01:46:49 **Motion:** Rep. Stahl moved that **HB 406 BE TABLED.**

01:47:06 **Motion:** Rep. Reinhart moved that **HB 406 DO PASS.**

01:47:17 **Motion:** Rep. Stahl moved that **HB 406 BE TABLED.**

**Discussion:**

01:48:04 Rep. Reinhart

01:49:26 Mr. Kolman

01:49:50 **Vote:** Motion failed 6-12 by roll call vote with Rep. Arntzen, Rep. Ingraham, Rep. More, Rep. Reichner, Rep. Stahl, and Rep. Vance voting aye. Rep. Hands, Rep. Grinde, Rep. Berry and Rep. Bennett voted by proxy.

01:51:21 Rep. Reinhart withdrew her motion without objection.

**ADJOURNMENT**

01:51:56 Adjournment

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Katie Butcher, Secretary

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Additional Documents:

**EXHIBIT ([loh33aad.pdf](#))**